

## **REMARKS**

### **I. Introduction**

Claims 1 to 20 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

### **II. Rejection of Claim 1 Under 35 U.S.C. § 102(e)**

Claim 1 was rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,637,257 ("Sparks"). It is respectfully submitted that Sparks does not anticipate claim 1 for at least the following reasons.

Although Applicants do not necessarily agree with the merits of the present rejection, to facilitate prosecution, claim 1 has been amended herein without prejudice to recite that the evaluation circuit is configured to detect a degradation process of a motor oil based on the potentiometric response of the two electrodes. This amendment corresponds to the Examiner's suggested amendment at page 8 of the Office Action. Support for this amendment may be found, for example, at page 3, lines 3 to 22 of the Specification.

Sparks relates to a micromachined fluid analysis device and method. Sparks discloses only the detection of the electrical resistance or current flow between the electrodes 20 and 22. See, e.g., col. 4, lines 14 to 17. In this regard, Sparks does not disclose, or even suggest, a potentiometric sensor device having evaluation circuit configured to detect a degradation process of a motor oil based on the potentiometric response of two electrodes.

As indicated above, Sparks does not disclose, or even suggest, all of the features of claim 1. As such, it is respectfully submitted that Sparks does not anticipate claim 1.

In view of the foregoing, withdrawal of this rejection is respectfully requested.

### **III. Rejection of Claims 2 and 3 Under 35 U.S.C. § 103(a)**

Claims 2 and 3 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Sparks and U.S. Patent No. 5,215,643 ("Kusanagi et al."). It is respectfully submitted that the combination of Sparks and

Kusanagi et al. does not render unpatentable the present claims for at least the following reasons.

Claims 2 and 3 ultimately depend from claim 1 and therefore include all of the features recited in claim 1. As more fully set forth above, Sparks does not disclose, or even suggest, all of the features recited in claim 1. Kusanagi et al. are not relied upon for disclosing or suggesting the features of claim 1 not disclosed or suggested by Sparks. Indeed, Kusanagi et al. do not disclose, or even suggest, the features of claim 1 not disclosed or suggested by Sparks.

In view of all of the foregoing, it is respectfully submitted that the combination of Sparks and Kusanagi et al. does not disclose, or even suggest, all of the features of the present claims. As such, it is respectfully submitted that the combination of Sparks and Kusanagi et al. does not render unpatentable the present claims. Accordingly, withdrawal of the present rejection is respectfully requested.

#### **IV. Rejection of Claims 4 to 7 Under 35 U.S.C. § 103(a)**

Claims 4 to 7 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Sparks, Kusanagi et al., and U.S. Patent No. 5,904,987 ("Tani et al."). It is respectfully submitted that the combination of Sparks, Kusanagi et al., and Tani et al. does not render unpatentable the present claims for at least the following reasons.

Claims 4 to 7 ultimately depend from claim 1 and therefore include all of the features recited in claim 1. As more fully set forth above, the combination of Sparks and Kusanagi et al. does not disclose, or even suggest, all of the features recited in claim 1. Tani et al. are not relied upon for disclosing or suggesting the features of claim 1 not disclosed or suggested by the combination of Sparks and Kusanagi et al. Indeed, Tani et al. do not disclose, or even suggest, the features of claim 1 not disclosed or suggested by the combination of Sparks and Kusanagi et al.

In view of all of the foregoing, it is respectfully submitted that the combination of Sparks, Kusanagi et al., and Tani et al. does not disclose, or even suggest, all of the features of the present claims. As such, it is respectfully submitted that the combination of Sparks, Kusanagi et al., and Tani et al. does not render unpatentable the present claims. Accordingly, withdrawal of the present rejection is respectfully requested.

**V. Rejection of Claim 8 Under 35 U.S.C. § 103(a)**

Claim 8 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Sparks, Kusanagi et al., Tani et al., and U.S. Patent No. 5,126,034 (“Carter et al.”). It is respectfully submitted that the combination of Sparks, Kusanagi et al., Tani et al., and Carter et al. does not render unpatentable claim 8 for at least the following reasons.

Claims 8 ultimately depends from claim 1 and therefore includes all of the features recited in claim 1. As more fully set forth above, the combination of Sparks, Kusanagi et al., and Tani et al. does not disclose, or even suggest, all of the features recited in claim 1. Carter et al. are not relied upon for disclosing or suggesting the features of claim 1 not disclosed or suggested by the combination of Sparks, Kusanagi et al., and Tani et al. Indeed, Carter et al. do not disclose, or even suggest, the features of claim 1 not disclosed or suggested by the combination of Sparks, Kusanagi et al., and Tani et al.

In view of all of the foregoing, it is respectfully submitted that the combination of Sparks, Kusanagi et al., Tani et al., and Carter et al. does not disclose, or even suggest, all of the features of claim 8. As such, it is respectfully submitted that the combination of Sparks, Kusanagi et al., Tani et al., and Carter et al. does not render unpatentable claim 8. Accordingly, withdrawal of the present rejection is respectfully requested.

**VI. Rejection of Claims 9 to 13 Under 35 U.S.C. § 103(a)**

Claims 9 to 13 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Sparks and U.S. Patent No. 3,843,400 (“Radford et al.”). It is respectfully submitted that the combination of Sparks and Radford et al. does not render unpatentable the present claims for at least the following reasons.

Claims 9 to 13 ultimately depend from claim 1 and therefore include all of the features recited in claim 1. As more fully set forth above, Sparks does not disclose, or even suggest, all of the features recited in claim 1. Radford et al. are not relied upon for disclosing or suggesting the features of claim 1 not disclosed or suggested by Sparks. Indeed, Radford et al. do not disclose, or even suggest, the features of claim 1 not disclosed or suggested by Sparks.

In view of all of the foregoing, it is respectfully submitted that the combination of Sparks and Radford et al. does not disclose, or even suggest, all of

the features of the present claims. As such, it is respectfully submitted that the combination of Sparks and Radford et al. does not render unpatentable the present claims. Accordingly, withdrawal of the present rejection is respectfully requested.

**VII. Rejection of Claims 14 and 15 Under 35 U.S.C. § 103(a)**

Claims 14 and 15 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Sparks and U.S. Patent No. 6,357,089 (“Koguchi et al.”). It is respectfully submitted that the combination of Sparks and Koguchi et al. does not render unpatentable the present claims for at least the following reasons.

Claims 14 and 15 ultimately depend from claim 1 and therefore include all of the features recited in claim 1. As more fully set forth above, Sparks does not disclose, or even suggest, all of the features recited in claim 1. Koguchi et al. are not relied upon for disclosing or suggesting the features of claim 1 not disclosed or suggested by Sparks. Indeed, Koguchi et al. do not disclose, or even suggest, the features of claim 1 not disclosed or suggested by Sparks.

In view of all of the foregoing, it is respectfully submitted that the combination of Sparks and Koguchi et al. does not disclose, or even suggest, all of the features of the present claims. As such, it is respectfully submitted that the combination of Sparks and Koguchi et al. does not render unpatentable the present claims. Accordingly, withdrawal of the present rejection is respectfully requested.

**VIII. Rejection of Claims 16 and 17 Under 35 U.S.C. § 103(a)**

Claims 16 and 17 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Sparks, Kusanagi et al., and Koguchi et al. It is respectfully submitted that the combination of Sparks, Kusanagi et al., and Koguchi et al. does not render unpatentable the present claims for at least the following reasons.

Claims 16 and 17 ultimately depend from claim 1 and therefore include all of the features recited in claim 1. As more fully set forth above, Sparks does not disclose, or even suggest, all of the features recited in claim 1 and neither of Kusanagi et al. and Koguchi et al. disclose, or even suggest, the features of claim 1 not disclosed or suggested by Sparks.

In view of all of the foregoing, it is respectfully submitted that the combination of Sparks, Kusanagi et al., and Koguchi et al. does not disclose, or even suggest, all of the features of the present claims. As such, it is respectfully submitted that the combination of Sparks, Kusanagi et al., and Koguchi et al. does not render unpatentable the present claims. Accordingly, withdrawal of the present rejection is respectfully requested.

**IX. Rejection of Claims 18 and 19 Under 35 U.S.C. § 103(a)**

Claims 18 and 19 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Sparks, Kusanagi et al., Tani et al., and Koguchi et al. It is respectfully submitted that the combination of Sparks, Kusanagi et al., Tani et al., and Koguchi et al. does not render unpatentable the present claims for at least the following reasons.

Claims 18 and 19 ultimately depend from claim 1 and therefore include all of the features recited in claim 1. As more fully set forth above, Sparks does not disclose, or even suggest, all of the features recited in claim 1 and none of Kusanagi et al., Tani et al., and Koguchi et al. disclose, or even suggest, the features of claim 1 not disclosed or suggested by Sparks.

In view of all of the foregoing, it is respectfully submitted that the combination of Sparks, Kusanagi et al., Tani et al., and Koguchi et al. does not disclose, or even suggest, all of the features of the present claims. As such, it is respectfully submitted that the combination of Sparks, Kusanagi et al., Tani et al., and Koguchi et al. does not render unpatentable the present claims. Accordingly, withdrawal of the present rejection is respectfully requested.

**X. Rejection of Claim 20 Under 35 U.S.C. § 103(a)**

Claim 20 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Sparks and U.S. Patent 1,956,741 ("Hornberger"). It is respectfully submitted that the combination of Sparks and Hornberger does not render unpatentable claim 20 for at least the following reasons.

Claim 20 depends from claim 1 and therefore includes all of the features recited in claim 1. As more fully set forth above, Sparks does not disclose, or even suggest, all of the features recited in claim 1. Hornberger is not relied upon for disclosing or suggesting the features of claim 1 not disclosed or suggested by

Sparks. Indeed, Hornberger does not disclose, or even suggest, the features of claim 20 not disclosed or suggested by Sparks.

**XI. Conclusion**

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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